IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 22787 of 2007(S)

PETITIONER:

V.SIVANANDAN, S/O.SETHUMADHAVAN NAIR,
AGED 57 YEARS, PRESIDENT,
E.N.FREE PARISTHITHI SAMRAKSHANA SAMITHY,
KULAPPULLY, SHORNUR, PALAKKAD DISTRICT.

BY ADV. SRI.SAKIR.K.H.

RESPONDENTS:
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1. THE CONSERVATOR OF CUSTODIAN OF FOREST,
E CIRCLE, OLAVAKKOD, PALAKKAD DISTRICT.

2. THE DIVISIONAL FOREST OFFICER, PALAKKAD.

3. THE STATE BANK OF INDIA,
OTTAPPALAM BRANCH,
REPRESENTED BY ITS MANAGER.

4. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT,
TRIVANDRUM.

R3 BY ADV. SRI.P.V.SURENDRANATH
BY SPECIAL GOVERNMENT PLEADER SHRI C.T. RAVIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.P.(C) No. 22787 OF 2007

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Dated this the 27th July, 2007

J U D G M E N T

H.L. Dattu, C.J.:

A public spirited citizen is before this court, complaining inaction of the first respondent, viz., the Conservator and Custodian of Forest, E Circle, Olavakkod, Palakkad district, in declaring the lands in Sy. No. 59/1, 80/3 and 90/2 of Shornur-II Village as fragile lands.

2. Before approaching this court, the petitioner had filed a representation dated 09.07.2007 before the first respondent . Even before the said authority could react to the request made by the petitioner, the petitioner has rushed to this court by filing this Writ Petition seeking for the above mentioned relief.

3. In our opinion, the Writ Petition is wholly premature. The petitioner should have requested the first respondent-authority to consider his representation and pass appropriate orders. If for any reason, the reliefs sought for by the petitioner are not granted, then only he/she can approach this court. In that view of the matter, the Writ Petition requires to be rejected and it is rejected.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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